| UNITED | STA | TES | DISTRICT | COURT |
|--------|-----|-----|-----------|-------|
| DISTR | ICT | OF | MASSACHUS | ETTS |

| JERMALL BUTLER, Petitioner, |) |
|--|-----------------------------------|
| v. |)) C.A. NO. 05-10608-MLW) |
| UNITED STATES OF AMERICA, Respondent. |)) |

<u>ORDER</u> March 31, 2008

As explained in the March 13, 2008 Order, petitioner Jermall Butler is now on Supervised Release and, therefore, may not wish to maintain the sole remaining claim in this case. Therefore, the court then ordered Butler to file a statement, by March 25, 2008, indicating whether he continues to seek an evidentiary hearing on the remaining claim. Butler has not done so. The court infers that Butler does not wish to continue this case. Accordingly, it is hereby ORDERED that Butler's petition is DISMISSED without prejudice.

/s/ Mark L. Wolf
UNITED STATES DISTRICT JUDGE